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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No. : 10/825/358  
Applicants : DADD, ET AL.  
Filed : APRIL 16, 2004  
Title : ELECTRODE ARRAY WITH BENDABLE TIP  
  
Art Unit : 3762  
Examiner : STOKLOSA, JOSEPH A.  
  
Atty Docket No. : COCH-0010-UT1

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The below-identified communication(s) is (are) submitted in the above-captioned application or proceeding:

<input checked="" type="checkbox"/>	Cover Letter	(1 page)
<input checked="" type="checkbox"/>	Request for Continued Examination (RCE)	(1 page)
<input checked="" type="checkbox"/>	Patent Fee Transmittal Form for FY 2007	(1 page w/dup.)
<input checked="" type="checkbox"/>	Credit Card Payment Form	(1 page)

Respectfully submitted,

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Registration Number 39,410  
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703-563-2005

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May 12, 2007



PTO/SB/30 (09-03)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# Request for Continued Examination (RCE) Transmittal

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	10/825,358
Filing Date	April 16, 2004
First Named Inventor	DADD, Fysh
Art Unit	3762
Examiner Name	STOKLOSA, Joseph A.
Attorney Docket Number	COCH-0010-UT1

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on \_\_\_\_\_
- ii. ☐ Other \_\_\_\_\_

- b. ☐ Enclosed

- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/ Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.  
The Director is hereby authorized to charge the following fees, or credit any overpayments, to  
Deposit Account No. \_\_\_\_\_

- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☒ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Michael S. Verga	Registration No. (Attorney/Agent)	39,410
Signature		Date	May 14, 2007

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)		01 EC-1881	798.00 0P
Signature		Date	

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

# Patent Fee Transmittal for FY 2007

Application No. 10/825,358  
Filing Date 16-Apr-04  
Named Inventor DADD, Fysh  
Examiner Name FAULCON, JR., Linwood  
Art Unit 3762  
Attorney Docket No. COCH-0010-UT1

TOTAL AMOUNT OF PAYMENT \$790.00

## FEE CALCULATION

### 1. Filing Fees

Application Type	Description	Code	Large Entity (\$)	Small Entity (\$)	Paid
Utility	Basic	1011	300	2011 150	\$ -
	Examination	1311	200	2311 100	\$ -
	Search	1111	500	2111 250	\$ -
Design	Basic	1012	200	2012 100	\$ -
	Examination	1312	130	2312 65	\$ -
	Search	1112	100	2112 50	\$ -
Plant	Basic	1013	200	2013 100	\$ -
	Examination	1313	160	2313 80	\$ -
	Search	1113	300	2113 150	\$ -
Reissue	Basic	1014	300	2014 150	\$ -
	Examination	1114	600	2114 300	\$ -
	Search	1314	500	2314 250	\$ -
Provisional	Basic	1005	200	2005 100	\$ -
National Stage	Basic	1631	300	2631 150	\$ -
	Examination	1633	200	2633 100	\$ -
	Search	1632	500	2632 250	\$ -

### 2. Extra Claim Fee

#### a. Claims as Filed

Total Claims	Extra Claims	Large Entity Code (\$)	Small Entity Code (\$)	Paid
0	- 20 = 0	1201 50	2201 25	\$ -
0	- 3 = 0	1202 200	2202 100	\$ -
		1203 360	2203 180	\$ -

#### b. Claims as Amended

Total Claims	After Amnt	Highest Paid	Present Extra	Large Entity Code (\$)	Small Entity Code (\$)	Paid
56	56	*	0	1201 50	2201 25	\$ -
4	4	**	0	1202 200	2202 100	\$ -
				1203 360	2203 180	\$ -

### 3. Extra Page Fee

Total Pages	Extra Pages	Large Entity Code (\$)	Small Entity Code (\$)	Paid
0	-100 0	1081 250	2081 125	\$ -

#### Subtotal for Application Fees

1	\$ -	+	2	\$ -	+	3	\$ -	=	\$ -
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### 4. Additional Fees

Description	Code	Large Entity (\$)	Small Entity (\$)	Paid
Extension for response first month	1251	120	2251 60	\$ -
Extension for response second month	1252	450	2252 225	\$ -
Extension for response third month	1253	1,020	2253 510	\$ -
Extension for response fourth month	1254	1,590	2254 795	\$ -
Extension for response fifth month	1255	2,160	2255 1,080	\$ -
Notice of Appeal	1401	500	2401 250	\$ -
Filing a Brief in Support of an Appeal	1402	500	2402 250	\$ -
Request for Oral hearing	1403	1,000	2403 500	\$ -
Petitions under 1.17(f)	1462	400	1462 400	\$ -
Petitions under 1.17(g)	1463	200	1463 200	\$ -
Petitions under 1.17(h)	1464	130	1464 130	\$ -
Petition - public use proceeding	1451	1,510	1451 1,510	\$ -
Petition to Revive - Unavoidable	1452	500	2452 250	\$ -
Petition to Revive - Unintentional	1453	1,500	2453 750	\$ -
Utility Issue Fee	1501	1,400	2501 700	\$ -
Design Issue Fee	1502	800	2502 400	\$ -
Plant Issue Fee	1503	1,100	2503 550	\$ -
Reissue Issue Fee	1511	1,400	2511 700	\$ -
Publication Fee	1504	300	1504 300	\$ -
Statutory Disclaimer	1814	130	2814 65	\$ -

(cont.)

#### Description (cont.)

Description (cont.)	Code	Large Entity (\$)	Small Entity (\$)	Paid
Recording each Assignment	8021	40	8021 40	\$ -
Submission of IDS	1806	180	1806 180	\$ -
Request for Cont. Examination (RCE)	1801	790	2801 395	\$ 790
Filing Submission After Final	1809	790	2809 395	\$ -
Surcharge - late filing fee or oath	1051	130	2051 65	\$ -
Surcharge - late provisional fee	1052	50	2052 25	\$ -
Non-English Specification	1053	130	1053 130	\$ -
Processing Fee 37 CFR 1.17(q)	1807	50	1807 50	\$ -
Request for Ex Parte Reexamination	1812	2,520	1812 2,520	\$ -
Request Pub. of SIR prior to action	1804	920	1804 920	\$ -
Request Pub. of SIR after action	1805	1,840	1805 1,840	\$ -
Each Add. Invention Examined	1810	790	2810 395	\$ -
Expedited Examination (Design)	1802	900	1802 900	\$ -
Unintentionally Delayed Priority Claim	1453	1,370	1453 1,370	\$ -
Certificate of Correction	1811	100	1811 100	\$ -
Maintenance Fees 3.5 years	1551	900	2551 450	\$ -
Maintenance Fees 7.5 years	1552	2,300	2552 1,150	\$ -
Maintenance Fees 11.5 years	1553	3,800	2553 1,900	\$ -
Surcharge - Late Payment 6 mos.	1554	130	2554 65	\$ -
Other fee				\$ -

Additional Fee Subtotal 4 \$ 790

### METHOD OF PAYMENT (Check all that apply)

☒ Credit Card (Provide credit card information and authorization on PTO-2038)

☒ Deposit Account No. 10-0233-COCH-0010-UT1

For the above-identified deposit account, the Director is hereby authorized to:

☐ To charge the above-identified fee.

☒ To charge any additional fees which may be required under 37 CFR 1.16, 1.17, 1.18, 1.20 and 1.492 or credit any overpayment to the deposit account number listed above.

Submitted by:

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Signature

May 14, 2007

Date